

**TOWN OF NORTH EAST PLANNING BOARD  
MINUTES  
July 22, 2020**

The regular meeting of the Town of North East Planning Board (“PB”) took place on Wednesday, July 22, 2020 in The Annex located at 19 North Maple Avenue, Millerton, New York at 5:30 PM. Board members Chairman Dale Culver, Charles Barrett, Leslie Farhangi, Bill Kish and Dan Sternberg. Also in attendance were Chris Kennan, Ron Steed, Dave Sherman, Brian Stokosa, Edie Greenwood, Jo Culver and Deb Phillips, secretary to the planning board.

*Linda Kaplan, Trustee  
Application for Minor Subdivision  
5681-5705 Route 22  
Parcel #133889-7170-00-541773*

*Larry Wente  
Application for Minor Subdivision  
95 Taylor Road  
Parcel ID #: 7269-00-642703*

*Three Pine Hill LLC  
Application for Major Subdivision  
136-144 Skunks Misery Road  
Parcel #133889-7170-00-232833*

*Ingersoll/Culver  
Application for Lot Line Adjustment  
468 Sharon Road  
Parcel #7270-00-539336-0000*

Chair Culver requested a motion to open the regular meeting of the PB at 5:30 PM. Motion was made by Kish. Motion seconded by Barrett and passed unanimously.

**Linda Kaplan, Trustee  
Application for Minor Subdivision  
5681-5705 Route 22  
Parcel #133889-7170-00-541773**

Ron Steed came to the board to represent Linda Kaplan. The plan is to subdivide two parcels (278 and 48 acres each) from the 466-acre parcel. The two parcels are divided by Route 22. The 278 acres that includes the barns and houses are on the west side and the 47.89 acres are on the east side. Steed said the purchasers are responsible for creating the final map. The purchasers’ plan is to create a family farm, NML Farm, LLC.

Kish would like to see soil maps; Steed said they are available and that the Dutchess Land Conservancy has done a preliminary layout. He can get the maps from the DLC if they are requested.

Chair Culver asked when the certified map would be available. Steed said he will get them as soon as possible.

Chair Culver said nothing can be done until the PB has the certified maps.

Chair Culver requested to have \$400 in escrow once the maps are submitted. Barrett made a motion to have \$400 in escrow. Motion seconded by Kish and passed unanimously.

**Three Pine Hill LLC**  
**Application for Major Subdivision**  
**136-144 Skunks Misery Road**  
**Parcel #133889-7170-00-232833**

Brian Stokosa asked the PB if there was a date set for a site visit.

Chair Culver said the PB was waiting for the report from Will Agresta.

Stokosa reviewed the plan for six lots on 88 acres along Skunk's Misery Road. The plan includes preserving the farming aspect that that exists and tie into the existing swellings. The cluster division along the ridgeline would create an HOA that would incorporate private drives. The driveways would follow along the existing logging trails. One lot would be in the front and the five lots would be in the back and would be served by a private drive. The HOA would determine who is responsible for maintenance of the drive and detail the shared driveway aspect.

Chair Culver suggested having Agresta at the next meeting to go over the plan in detail.

Kish mentioned that the Town zoning requires each lot have road frontage unless the Town Board grants a waiver. He asked Stokosa if he was planning on seeking a waiver.

Stokosa said under Section 278 of Town law, if there is an open space concept with a common parcel, a waiver can be obtained through the process of forming the HOA.

Chair Culver said the PB would get a rendering of it from Attorney Ferlazzo.

Barrett asked about the Town Highway Department taking care of the road. Stokosa said it would be taken care of by the HOA.

Kish said the PB wants the road to be a substandard road; one that the Highway Dept. cannot take over.

Stokosa would submit a draft to the PB for input for any changes and then submit to the Attorney General's office.

Kish suggested referring the plan to the CAC. He asked Stokosa asked Stokosa about how to deal with utilities since they can't be run underground due to the ledge. Stokosa said the utilities would have to use conduit and be run along the road.

Chair Culver said a site visit would be the following week; Agresta would be at the next meeting; and the plan would be referred to the CAC.

**Ingersoll/Culver**  
**Application for Lot Line Adjustment**  
**468 Sharon Road**  
**Parcel #7270-00-539336-0000**

Wesley Chase appeared before the PB and said the Ingersolls own a 1.37-acre lot with no road frontage on Sharon Road near the 400-acre farm of Jo Culver. He said the intent of the application is to give Ingersoll some road frontage, allow them to have their own driveway and decrease the liability that Culver has. Culver would like to convey two small triangles equaling approximately one-tenth of an acre to the Ingersolls for a lot line alteration.

Chair Culver said there are structures on the other side of the line, including a bathroom in the corner. He asked where the fields lay as opposed to the boundary line.

Chase said the bathroom is on part of the house that has been removed and there is currently a biodegradable toilet. He said there is a galley for grey water, the shower water and sink water that will be on one of the parcels being conveyed to Ingersoll.

Kish asked who approves that and if the DEC is involved.

Chase said that any house or structure that predates the existence of the Dutchess County Health Department, they are grandfathered in. They could be fixed or repaired as necessary without getting any approval. Approvals would be necessary if a new residence was constructed or if the town zoning ordinance/town laws require it.

Chair Culver suggested a small escrow of \$200.

Kish made a motion to have an escrow of \$200. Motion seconded by Sternberg and passed unanimously.

Kish asked if the land in the water was counted as part of the lot. Chase replied yes.

Chair Culver mentioned to have a hearing date on August 12, 2020 at 7:40PM.

Kish made a motion to have a public hearing on August 12, 2020 at 7:40PM. Motion seconded by Barrett passed unanimously.

### **Public Comment**

There was no public comment.

### **General Business**

Chair Culver said he would like availability for site visits for Three Pine Hill LLC. He also mentioned having training with Agresta's visit.

Chair Culver said he received an email from Larry Wentz indicating that the Highway Department verbally approved the highway cut. Culver spoke with the Highway Department and was told no verbal approval was given to Wentz. Culver had the Highway Department produce a letter stating there was no approval given. He said there was a discussion about measurements and the Highway person directed Wentz to code and what it says about the intersection and if it's not within 70 feet than it is not accepted. He said the PB is waiting for an updated map from Wentz with a different cut.

## **Minutes**

Sternberg made a motion to accept the March 11, 2020 minutes. Motion seconded by Kish and passed unanimously with Farhangi abstaining. Kish made a motion to accept the June 10, 2020 minutes as corrected. Motion seconded by Sternberg and passed unanimously.

## **Close of Meeting**

Barrett made a motion to close the Planning Board meeting at 8:15 PM. The motion was seconded by Kish and passed unanimously.

Respectfully Submitted,

Deb Phillips  
Planning Board Secretary

APPROVED August 12, 2020